



PATENT  
ATTORNEY DOCKET NO. DIVER1200

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Pat. No.: 6,004,788  
Issue Date: December 21, 1999  
Inventors: Short  
Appl. No.: 08/503,606  
Title: ENZYME KITS AND LIBRARIES

Commissioner of Patents  
Washington, D.C. 20231

ATTN: CERTIFICATE OF CORRECTIONS BRANCH

**REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 C.F.R. §1.322**

Sir:

The assignee of the entire right and title of the above patent petitions the Commissioner for Patents for a Certificate of Correction correcting a mistake made by the Office in issuance of the above-referenced patent. Accordingly, it is respectfully requested that claim 1 be amended as follows.

In claim 1 of the issued patent, please replace "genomic DNA *fragments*" (col. 26, line 17, emphasis added) with "genomic DNA fragments." Once amended, claim 1 will read as follows:

1. A kit comprising at least one container containing a mixture of enzymes, wherein said enzymes are obtained by culturing a gene expression library, comprising a pool of expression constructs, each expression construct comprising

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**CERTIFICATION UNDER 37 CFR §1.8**

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on November 8, 2001, in an envelope addressed to:  
Commissioner for Patents, Washington, D.C. 20231

*Karen LePari*

Karen LePari

In re Pat. No.: 6,004,788  
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a vector containing one or more cDNA or genomic DNA fragments, wherein the cDNA or genomic DNA fragments in the pool of expression constructs are derived from a plurality of species of uncultured donor microorganisms, and wherein the cDNA or genomic DNA fragments are each operably-associated with one or more regulatory regions that drives expression of genes encoded by the cDNA or genomic DNA fragments in an appropriate host organism, wherein the enzyme is selected from the group consisting of oxidoreductase, transferase, hydrolase, lyase, isomerase, and ligase activity.

The error sought to be corrected in this patent was made by the Patent and Trademark Office in the publication of the application. See, for example, Paper No. 20, submitted by the Applicant on April 20, 1999, in which new claims 13 and 14 were presented. When these claims were allowed, they became claims 1 and 2 of the issued patent. Claim 13, as presented had the correct "genomic DNA fragments" language. Accordingly, Applicant submits that the Request for Certificate of Correction does not raise issues of new matter, nor does it require reexamination.

In view of the above statements and the attachments, it is respectfully requested that a Certificate of Correction of U.S. Pat. No. 6,004,788 be issued, replacing "genomic DNA fagments" with "genomic DNA fragments."

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A check is enclosed in the amount of \$100.00, in accordance with 37 C.F.R. §1.20(a). If any additional fee is deemed necessary, the Commissioner is authorized to charge (or apply any credits to) Deposit Account No.: 50-1355. The Examiner is invited to contact Applicant's representative Lisa Haile at (858) 677-1456 if there are any questions related to this matter.

Respectfully submitted,

Date: November 8, 2001



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**UNITED STATES PATENT AND TRADEMARK OFFICE**

**CERTIFICATE OF CORRECTION**

PATENT NO.: 6,004,788  
DATED: December 21, 1999  
INVENTOR(S): Short

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In claim 1 of the issued patent, replace "genomic DNA fragments" (col. 26, line 17) with "genomic DNA fragments."

Gray Cary Ware & Freidenrich LLP

PATENT NO. 6,004,788

By: Lisa A. Haile, J.D., Ph.D

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UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION

PATENT NO.: 6,004,788  
DATED: December 21, 1999  
INVENTOR(S): Jay Short

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In claim 2, please replace the "The method of claim 1..." with "A kit of claim 1..."

A

Gray Cary Ware & Freidenrich LLP

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